

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
Ft. Myers Division

In re:

Chapter 7

VITO JOHN DICHiarO, and
JANET ANN DICHiarO

Case No: 9:09-bk-18831-ALP

Debtors.

JB Vol 15
#2020

IBERIABANK, assignee of Century Bank, FSB,

Adv. Case No. 9:09-ap-00921-ALP

Plaintiff,

vs.

VITO JOHN DICHiarO a/k/a VITO DICHiarO, JR. and
JANET ANN DICHiarO,

Defendants.

CONSENT JUDGMENT OF NON-DISCHARGEABILITY OF DEBT

THIS MATTER came before the Court upon the consent of the Debtor, Vito John DiChiaro a/k/a/ Vito DiChiaro, Jr. (the "**Debtor**") to the entry of a Judgment of Non-Dischargeability of the debts he owes to Iberiabank, assignee of Century Bank, FSB ("**Iberiabank**"). Iberiabank filed this action pursuant to 11 U.S.C. § 523(a)(2)(A), (a)(2)(B), and (a)(6) to determine the dischargeability of the debt incurred by the Debtor arising from Debtor's defaults under the Note and Mortgage. The Court, being informed of the Debtor's agreement to the entry of this Judgment, and being otherwise fully advised in the premises, does hereby:

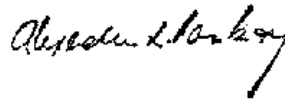
ORDER AND ADJUDGE as follows:

1. The Plaintiff, Iberiabank, assignee of Century Bank, FSB, whose address is 1630 Fruitville Road, Sarasota, FL 34236, shall recover from Defendant, Vito John DiChiaro a/k/a/ Vito DiChiaro, Jr., whose last known address is 1926 NE 18th Terrace, Cape Coral, Florida 33909, the principal sum of \$150,000.00 that shall bear interest at the rate of 0.34% (the "Judgment Debt"), for which let execution issue.

2. Pursuant to 11 U.S.C. § 523(a)(2)(A), (a)(2)(B), and (a)(6), the Judgment Debt shall be excluded from any discharge granted to the Debtor pursuant to 11 U.S.C. § 727(a).

3. Pursuant to 11 U.S.C. § 362(c)(2)(C), upon the entry of this judgment, Iberiabank is entitled to resume all remedies available for the collection of the Judgment Debt.

ORDERED in the Middle District of Florida this March 25, 2010



HONORABLE ALEXANDER L. PASKAY
U.S. BANKRUPTCY JUDGE

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